

PROB 12B
(08/16)

August 9, 2017
pacts id: 251174

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

**Request for Modifying the Conditions or Term of Supervision
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Freddie James Lopez (English)

Dkt No.: 15CR07170-001-H

Name of Sentencing Judicial Officer: Treaty Transfer Case. Matter assigned to The Honorable Marilyn L. Huff, Senior U.S. District Judge

Sentence: 72 months' custody; 36 months of supervised release (*Special Conditions: Refer to Judgment and Commitment Order.*)

Date of Sentence: January 22, 2010

Date Supervised Release Commenced: December 17, 2015

Prior Violation History: Yes. See prior court correspondence.

PETITIONING THE COURT

TO MODIFY THE CONDITIONS OF SUPERVISION AS FOLLOWS:

Be monitored for a period of two (2) months, with the location monitoring technology at the discretion of the probation officer. The offender shall abide by all technology requirements and shall pay all or part of the costs of participation in the location monitoring program, as directed by the court and/or the probation officer. In addition to other court-imposed conditions of release, the offender's movement in the community shall be restricted as specified below:

(Curfew)-You are restricted to your residence every day from 7:00pm to 5:00am, as directed by the probation officer.

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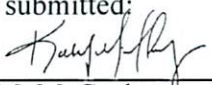
CAUSE

On January 27, 2017, Mr. Lopez failed to appear for drug testing, as directed in the prerecorded instructions. Additionally, on August 1, 2017, Mr. Lopez submitted a urine sample which screened positive for amphetamines. On August 8, 2017, he reported to the probation office to discuss the positive test results and admitted to using methamphetamine on or about July 30 and 31, 2017.

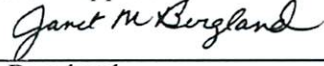
This is the third known occasion of substance abuse within the last calendar year. Previously, Mr. Lopez admitted to the use of marijuana and cocaine. A treatment regimen was implemented to address the drug use and ongoing patterns of criminal thinking. He completed cognitive behavioral treatment on March 30, 2017. Unfortunately, Mr. Lopez continues to engage in high risk situations where drug use is readily available to him. As a means to address his non-compliance and breach of trust, it is recommended his conditions of release be modified as indicated above. Mr. Lopez is in agreement with the modification, as evidenced by his signature on the attached waiver. Additionally, Mr. Lopez will be placed back into the drug testing regimen for continued monitoring. As a correctional strategy, the undersigned will work with Mr. Lopez individually, in an attempt to provide additional tools to overcome high risk situations in the community.

Respectfully submitted:

by


 Kasey M. McCoskery
 Senior U.S. Probation Officer
 (619) 557-5518

Reviewed and approved:


 Janet M. Bergland
 Supervising U.S. Probation Officer

mac fm PJK


Attachments:

THE COURT ORDERS:

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The Modification of Conditions as Noted Above

Other _____


 The Honorable Marilyn L. Huff
 Senior U.S. District Judge

Date

8/15/17